

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 4-6, 9-11, 14-16 and 19-21 are pending in this application. Claims 2, 3, 7, 8, 12, 13 17 and 18 have been cancelled without prejudice or disclaimer of subject matter. Claims 1, 6, 11 and 16 are independent. Claims 1, 4, 6, 9, 11, 14, 16, and 19 are hereby amended and claim 21 is added. The amendments to claims 4, 9, 14, and 19 obviate the rejections under 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment and the newly added claim is provided throughout the Specification, specifically at pages 32-33 of the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 5-6, 10-11, 15-16, and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,714,968 to Prust (hereinafter, merely “Prust”) in view of U.S. Patent No. 6,405,245 to Burson et al. (hereinafter, merely “Burson”). Claims 4, 9, 14, and 19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prust and

Burson, and in further view of U.S. Patent No. 6,339,826 to Hayes, Jr. et al. (hereinafter, merely “Hayes”).

Claim 1 recites, *inter alia*:

“...receiving means for receiving address data designated as an access point indicating said exclusive storage area oriented to said user registration data from said server over said network and for receiving one or more automatic upload programs, ..., and

transfer means for writing a data file to the exclusive storage area automatically when connection processing is performed and for transferring a control file used for controlling access by another user to the data file.”
(emphasis added)

As understood by Applicants, Prust relates to a data storage system that allows seamless access to remote storage areas via a global network. The storage devices provide a plurality of virtual storage areas each assigned to a user. Access to these virtual storage areas is fully integrated with an operating system executing on a client computer so as to allow access to the storage area using standard file management routines provided by the operating system.

As understood by Applicants, Burson relates to a system for automated access to an end user’s personal information stored with a personal information provider. The personal information provider provides an application that allows the user to navigate to an interface that presents the user’s personal information.

As understood by Applicants, Hayes relates to a system for interconnecting a server and a plurality of user stations. The server stores a plurality of user applications for downloading and further stores access permissions for each of the applications.

Applicants submit that nothing has been found in Prust, Burson, or Hayes that would teach or suggest the above-identified features of independent claim 1. Specifically,

neither Prust, Burson, nor Hayes taken alone or in combination, teach or suggest a receiving means for receiving one or more automatic upload programs and a transfer means for transferring a control file used for controlling access by another user to the data file as recited in claim 1. Therefore, claim 1 is patentable.

Independent claims 6, 11 and 16 are similar in scope and are believed patentable for similar reasons.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800